

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TRAVIS GLENN,

Plaintiff,

v.

AMERICO,

Defendant.

CASE NO. 2:24-cv-00184-TL

ORDER ON SECOND MOTION FOR
COURT-APPOINTED COUNSEL

This matter is before the Court on Plaintiff's second Motion for Appointment of Counsel. Dkt. No. 57. Having considered Plaintiff's motion and the relevant record, the Court DENIES Plaintiff's motion.

"Generally, a person has no right to counsel in civil actions." *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009) (affirming denial of appointment of counsel). Although most *pro se* litigants would benefit from representation by an attorney, that alone does not warrant the appointment of counsel. *See Rand v. Roland*, 113 F.3d 1520, 1525 (9th Cir. 1997) (affirming

1 denial of appointment of counsel), *overruled on other grounds*, 154 F. 3d 952 (9th Cir. 1998) (en
2 banc). Instead, a court may appoint counsel for indigent civil litigants under “exceptional
3 circumstances,” pursuant to 28 U.S.C. § 1915(e)(1). *See Palmer*, 560 F.3d at 970. When
4 determining whether “exceptional circumstances” exist, a court must at least consider “the
5 likelihood of success on the merits as well as the ability of the [plaintiff] to articulate his claims
6 *pro se* in light of the complexity of the legal issues involved.” *Id.* (quotation marks omitted)
7 (quoting *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983)). Neither of these considerations
8 is dispositive; they must be viewed together. *Id.*

9 The Court recently granted Defendant’s motion to dismiss, but gave Plaintiff leave to
10 amend a number of his claims. *See* Dkt. No. 59. At this stage, the Court cannot conclude whether
11 Plaintiff’s amended claims will have a strong likelihood of success on the merits, and thus finds
12 appointment of counsel to be inappropriate. *See, e.g., Sam v. Renton Sch. Dist.*, No. C21-1363-
13 RSM, 2021 WL 4952187, at *1 (W.D. Wash. Oct. 25, 2021). However, should Plaintiff file an
14 amended complaint, he may make another motion for appointment of counsel after the amended
15 complaint is filed.

16 For the foregoing reasons, Plaintiff’s Motion for Appointment of Counsel is DENIED.

17 Dated this 11th day of December 2024.

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Tana Lin
20 United States District Judge
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